1: Evans-Pritchard E-5 (1931, 1936) 1940
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source of material, as may be seen in the list of the uses of the bodies and bodily products of cattle on pp. 28 and 30. The bodies of wild animals replace those of cattle in some, but not many, of these uses, e.g. the skins of tiang and cob are used as sleeping-rugs, waterbuck-skin for the tympana of drums, giraffe-skin for cord, the scrota of giraffe for bags (Fig. 3), the horns of buffalo for spoons (Fig. 14), and the bones and hides of various animals and the tusks of elephants for armlets, leglets, wristlets, finger-rings, &c., and so forth. They can further be employed, though here also to a limited extent, for purposes for which bovine products are unsuitable, e.g. hippopotamus- and buffalo-hide for shields and sandals, elephant-hide also being used for the second purpose; horns and ribs, as mentioned above, for spear-points; leopard- and genet-skins for ritual and ceremonial apparel; and so forth. Ostrich eggs and shells of the giant land snail are manufactured into waist-bands and the second are used for cutting heads of millet in harvesting.

I have indicated a few of the uses to which animal products are put to give the reader a general idea of the limitations imposed on Nuer economy by their environment and of the way they manage to overcome the natural poverty of their country. Taken with the earlier list of uses of cattle we can say that the Nuer do not live in an iron age or even in a stone age, but in an age, whatever it may be called, in which plants and beasts furnish technological necessities.

Deficiency of food and other raw materials can be corrected by trade. However, Nuer seem to have engaged very little in it. Many of their iron weapons and ornaments probably came through Dinka hands from the so-called Jur peoples (Bongo-Mittu group) and the iron-working sections of Dinka tribes to the west of the Nile. Much of it was doubtless booty, though some was certainly traded.[1] The Eastern Gaajak traded iron for ivory with the Galla of Ethiopia, but I doubt whether much iron came from this source before the Abyssinian conquest of the Western Galla towards the end of the nineteenth century. At the beginning of the present century there was some trading of ivory from Nuerland to the Ethiopian markets at Gore and Sayo, and this went on till very recently. A considerable distance separated these markets from the main supply in the Zeraf Island, and people from Eastern Gaajak country in the dry season, at any rate in some seasons, took cattle, tobacco, and spearheads to the Zeraf and returned with ivory. A good tusk fetched up to twenty

[1] Poncet, op. cit., p. 44.

1: Evans-Pritchard E-5 (1931, 1936) 1940
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439 head of cattle.[1] This trade was forbidden some years ago and has probably not a long history, because early writers give no information that might lead us to suppose that it went on previous to the reconquest of the Sudan and the Abyssinian conquest of Western Ethiopia. There was some ivory-trading on the Zeraf between Nuer and Arabs from the middle of the nineteenth century. Metal ornaments and venetian glass beads seem to have been offered in exchange. Nuer may have traded some tobacco, and possibly an occasional canoe, from the Anuak of the Baro and Gila rivers, but it is more likely that they usually acquired these objects by raiding. I do not discuss here the very small trade carried on to-day by Arab shopkeepers who live a hard, and generally unprofitable, life here and there on the main waterways. Nuer obtain from them spears, hoes, fish-hooks, ornaments, and occasionally an anvil, grindstone, &c., and they purchase skins of oxen, and sometimes oxen, from the Nuer. Nuer economy has not been much affected thereby. Nuer do not sell their labour.

We may conclude, therefore, that trade is a very unimportant social process among the Nuer. Many reasons can be adduced to explain this fact. I mention only a few. Nuer have nothing to trade except their cattle and have no inclination to dispose of these; all they greatly desire are more cattle, and, apart from the difficulty that they have nothing to offer in exchange for them, herds are more easily and pleasantly increased by raiding the Dinka; they are seldom on such friendly terms with their neighbours that trade can flourish between them, and, although there may have been sporadic exchange with Dinka and Anuak, *it is probable that* most objects obtained from these peoples were [436] spoil; they have no money, no markets, and no transport other than [489] human porterage; &c. A further reason, and one that requires emphasis, is the dominant interest of the Nuer in their herds. This narrow focus of interest causes them to be inattentive to the products of other people, for which, indeed, they feel no need and often enough show contempt.

437 There is very little exchange within Nuerland itself, there being no high specialization and no diversity in the distribution of raw material. The only trading I have seen, apart from the exchange of small commodities and minor services mentioned in the next section, is the exchange of some cattle, mainly oxen, by the Lou for Eastern Gaajok grain in a famine year. I think it most unlikely that such exchanges went on before British occupation of the country, though there was, according to Nuer, sometimes an exchange of an animal for grain in bad years between persons of the same district.

[1] Bimbashi H. Gordon, *Sudan Intelligence Report*, no. 107, 1903.

6: Evans-Pritchard E-5 (1931, 1936)1938
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fires, but they are quickly driven into huts and byres to seek protection amid the smoke of their fires. The doors of the huts are closed tightly, air-holes are blocked, and fires are lit. Mosquito-nets are the only European product, apart from spears, for which the Nuer express any great enthusiasm, but very few, perhaps one in several thousand, possess them.

During my residence at Mancŏm on the Sobat in July, 1935 I was almost eaten alive by mosquitos. My cotton mosquito house afforded me some protection at night but insects soon made holes in it and the mosquitos entered. Moreover, they swarmed outside like a beleaguering army and on my leaving or entering the house battalions invaded it. The worst time was between six and nine o'clock in the morning when hundreds of mosquitos collected in my tent to escape the sun so that it was impossible to sit in it without being repeatedly bitten. One gets little rest, and fever is sooner or later inevitable.

Mosquitos are absent away from pools and river banks in the dry season and even in the vicinity of water—and one must live near water—they are not troublesome from January to May. In the dry season, therefore, the cattle sleep in the open, the herd being surrounded by windscreens in which the Nuer themselves sleep. If a beast of prey approaches people know of its approach by observing that the cattle are restless. The alarm is given and in a moment the whole camp is awake and men rush, with spears in their hands, to the place of danger. I have seen camps awake half the night chasing lions away, for a lion makes many attempts before he acknowledges defeat. But even in the dry season dung fires envelope the camps in smoke at night to protect the cattle from insects.

According to the Nuer it was Woman who first brought mosquitos to the habitations of men. Woman found Mosquito in the open plain and asked him " What do you eat ? " Mosquito replied, " Oh ! grass. Just nothing." Woman said to him, " Well come home with me and we will share our homestead together " When God heard Woman's words he asked her, " What about your husband ? " Woman replied,

8:Howell E, G-5 (1942-1944)1954
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421 the past nearly always expressed in terms of cattle and often on a conventional basis. Such articles were canoes and ivory bangles (though here the basic value of the ivory must be taken into account). These were of considerable value and, as will be seen, there were in the past scales of compensation demanded for their loss or misappropriation.

•[439] (4) Imported articles, chiefly of iron, like fish-spears, iron spear-heads, hooks, iron hoes, &c. There were no iron smelters and few blacksmiths among the Nuer in those days. Iron wares were acquired from other tribes in exchange for cattle. These also had a conventional value and, in traditional legal processes, a conventional rate of compensation (*cut*).

We see therefore that there were various categories of chattels or movable property, some of which (those in the first category) had no definite or standard value because they were so easily obtainable; others which had exchange value, but no conventional rate of compensation for loss in excess of the exchange value (those in the second category); still others which had not only high exchange value in terms of cattle but also rates of compensation for loss, usually far in excess of that value (those in the third and fourth categories). The reason for the heavy damages demanded in such circumstances is discussed later. It may be noted here that it was partly due to the economic advantages obtained from the article (hoes or fish-spears for example) and hence the economic disadvantages caused by its loss, for it could not be easily replaced. Although actually held by an individual, the advantages applied to other members of his community, who would therefore assist him to obtain redress. Moreover, since it was initially purchased with cattle, kinsmen who had interests in those cattle would also have interests in the article.

[424] Finally another form of ownership, which must be mentioned in connexion with property relations, is possession of spirits or 'spirit medicines'. Certain kinds of spirits or medicines which have magical properties may be purchased with cattle. Such spirits are spoken of as being 'owned', but in contrast to more corporeal rights, they cannot be stolen because in the transference there must be some spiritual harmony between the two persons concerned, and the appropriate ritual must be performed. The nature of these spirits is discussed in a later chapter.

Changing Values

421 178 436 These observations apply to the past. Clearly concepts of property relations are undergoing swift and radical changes in Nuer society today. The introduction of a money economy in itself is bound to have repercussions on ideas of property and ownership. Most articles can be bought for relatively small sums of money, and money can be

8:Howell E, G-5 (1942-1944)1954
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4. TRADE AND LOANS

Trade has never been extensive among the Nuer. There is, of course, a division of labour according to sex, but there are few people who can be accounted specialist craftsmen. Individuals acquire the reputation for making certain specific objects with exceptional skill, but they rarely if ever belong to a family especially associated with such activities. This is an exceptional contrast to specialization in the spiritual sphere, for there are hereditary experts capable of dealing with almost any unusual phenomena: ritual experts, magicians, sooth-sayers and medicine-owners, who demand fees, often in cattle, for their services.

The reason lies, perhaps, in the extraordinary simplicity of Nuer material culture. Most things necessary for their migratory way of life (and this applies to all peoples who move with the seasons) can be made either from wood or grass or from the products of their cattle. Seasonal migration in any case precludes a high degree of virtuosity, for things are liable to breakage and are often an unnecessary encumbrance. Moreover the Nuer, who do not use their animals for transport, must carry everything by hand.

Certain objects were of relatively high value, and were exchanged for cattle or sheep and goats. Nowadays, however, most of these articles—hoes, spears, ornaments and the like—can be obtained for cash, and disputes do not often arise in the courts except over the sale of grain.

Trade in Cattle

Trade in cattle is clearly increasing as a cash economy becomes more important to the Nuer but, as yet, cattle are rarely sold except when the purchase of grain is necessary. A significant paragraph from the Jonglei Investigation Team's *Third Interim Report* (1948) is worth quoting, for the figures given, although taken from all Nilotic inhabitants of the Upper Nile Province, include all the Nuer:

> The disposal of surplus livestock is governed by private, family, and tribal circumstances, and is at present tied up with the need to find cash; this is required mainly for the purchase of grain and veterinary vaccines and, to a small extent, for the payment of taxes. There are four channels through which the inhabitants can dispose of their animals:
>
> (*a*) By sale to the Veterinary Laboratory at Malakal, where they will be used to produce cattle-plague vaccine and serum.
>
> (*b*) By sale to Malakal butchers for local consumption.
>
> (*c*) By export to Equatoria Province, in which case most of them will be butchered in Juba.
>
> (*d*) By export northwards to the markets of Kosti and Omdurman.
>
> In the majority of cases all trade is carried out through merchants as intermediaries. . . . Previously it had often been necessary for the District Commissioner concerned to exercise pressure before the local inhabitants could be induced to sell.

8:Howell E, G-5 (1942-1944)1954
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Numbers of Cattle sold in or exported from Malakal in Yearly Totals from 1935 to 1947 Inclusive

1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947
2,586	2,413	1,590	2,583	2,817	2,116	2,283	3,124	2,004	3,012	5,944	5,380	5,178[2]

When it is remembered that the Nuer alone possess over half a million head of cattle, these sales figures are not impressive, but the increase in sales is significant.

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There is still relatively little internal trade in cattle among the Nuer. Cattle are not bought and sold in local markets, and disputes over prices or payment rarely come before the courts. Cattle continue to be exchanged, however, and there are still customary rates of exchange.

Exchanges and Loans

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The Nuer word for exchange is *gual*, and is used specifically in connexion with the exchange of cattle. '*Ce thak gual ke dow*', 'he exchanged a bull for a cow-calf.' The expression, which is often loosely applied, refers to a direct exchange. In some cases cattle may be exchanged for sheep. It is generally recognized that a large bull or ox is worth a cow-calf, and a cow-calf is worth anything from 10–20 sheep. Such transactions are frequent.[1] In certain situations of spiritual danger—famine, sickness, or death—or in any situation which demands a sacrifice, a sacrificial animal is necessary, and this may not be immediately available. In such circumstances a man will be forced to make an immediate exchange: a cow-calf for a bull-calf, and so on. More

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probably he will borrow a bull or in some cases a ram on the understanding that he will pay the owner its recognized equivalent at some later date. This is in the nature of a loan, and involves some measure of interest. A full-grown ox is worth at least a cow-calf if the debt is discharged at some later date, a ram is worth a bull-calf, and so on. In this case the word *ngual* is usually employed. The word *ngual* implies the passage of time before the transaction is complete, and is thus best translated as 'loan'.

In many cases a Nuer will specify beforehand that he will pay the first cow-calf born to such and such a cow. Such loans are a frequent cause of litigation, for a man is often unwilling to repay the loan after his immediate need has been met, or unable to do so.

[1] *Jonglei Investigation Team, Third Interim Report*, 1948, p. 10.

[2] Among some Nuer and Dinka tribes there is a considerable trade in this manner with Baggara Arabs from the north. Cow-calves are brought in by the latter and exchanged for large oxen, which are then driven north and sold in the markets. This form of trade is, however, limited, for it seems that Baggara cattle will not survive in the areas south of approximately latitude 9°, and though the Nuer have been tempted to try, the experiment has usually been unsuccessful. In any case, there are no statistics available because the practice is not encouraged by the Government owing to the spread of disease.

8:Howell E, G-5 (1942-1944)1954
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Disputes are easily settled by the courts, though execution of judgement is often slow.

Loans Arising from the Institution of Nak

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Slightly different situations arise from the institution known as '*nak*'.[1] It appears probable that *nak*—the common word meaning 'to kill', but in this context meaning 'a slaughter'—was part of the tribal ceremonies concerned with the division of age-sets. Age-mates of the younger age-set would segregate themselves from the rest of the community at the cattle-byre of one of their number and live entirely on the meat of oxen slaughtered for the occasion.

Two or three of the youths would club together to provide an ox and, if their immediate relatives were unable to supply one, they would appropriate one from someone else. In this they were given considerable licence and, should the owner object, they could seize it with impunity. Public opinion would not allow the owner to resist, and certainly he would be unable nowadays to obtain immediate redress in the courts. In return, the youths are bound by convention, with the full force of public opinion behind it, to make return after a specified number of years (usually announced by the *wut ghok*).

The exchange values of cattle provided in this manner are much higher than those recognized in normal exchanges or loans. They are:

1 large bull = 2 cow-calves and 1 bull-calf.
1 medium bull = 2 cow-calves.
1 bull-calf = 1 cow-calf.

The debts were not, of course, discharged with the rigidity which these rates imply, but they are quoted by Nuer as being traditional. Just as a man is expected to hand over his ox without show of reluctance in the first place, so would his debtors be expected to discharge their obligations without argument. Nuer are particularly emphatic on this point, but disputes are, none the less, frequently taken to court.

Nearly all these exchanges are necessary to meet some ritual situation, and are therefore of frequent occurrence. Sacrifice is extremely common, and Nuer consume more meat than is commonly supposed. Recent statistics indicate that a large proportion of the total cattle population is slaughtered.[2]

Exchange of Cattle for Grain

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Finally, cattle are sometimes exchanged for grain in times of famine. This has not been so frequent in recent years, because grain, imported

[1] I have discussed this institution in more detail in an article, 'The Age-set System and the Institution of "Nak" among the Nuer', *S.N.R.*, 1948.
[2] See Jonglei Investigation Team, *Progress Report, 1948-9*.

6:Howell E, G-5 (1942-1944)1954
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by Arab merchants, is usually available and bought with cash. Cases of this kind sometimes appear before the courts. The facts are not usually denied by the defendant, but execution is often resisted.

Gifts Given in Friendship (*math*)

Another situation in which cattle are involved, and which is a frequent cause of litigation, is the institution of the 'Best Friend', known in Nuer as *math*. Two men will often form a bond of friendship by exchanging cattle either as a one-sided loan or as a direct exchange, each party taking the other's cow. This can scarcely be described as trade, but is often the cause of dispute since friends fall out.

Ngor Nguen v. Can Nyoi (Jikany Nuer Case).

Ngor and Can were 'best friends' (*math*). Ngor gave Can a black cow as a gift. Can gave Ngor a cow when Ngor got married. Ngor then asked Can to give him a cow in milk in order to feed his children. Can obliged by giving him a cow which he had received on the marriage of his daughter. Ngor, however, considered that the cow was a bad one and, after a violent quarrel with Can, demanded that their 'friendship' should be broken (*diak math*) publicly and that Can should give back his black cow. The matter was taken to court, but Ngor's claim was thrown out as groundless since Can had already given him two cows in exchange.

Exchanges of this sort are a corollary to this form of institutionalized friendship. Disputes of the kind mentioned above are simple enough, though often heated. It is perhaps surprising that they should appear before the courts at all, because the issues must be clear to everyone and there is rarely any doubt.

5. THE INFRINGEMENT OF RIGHTS IN PROPERTY

Self-help

If the seizure of cattle, the property of another man, is defined as 'theft', then theft of cattle is a common offence among the Nuer. Nuer, however, distinguish clearly between what is considered licensed seizure, either openly or by stealth, and theft for which the thief can produce no customary justification. The word *kwal*, which is used loosely to describe both forms of misappropriation, is employed regularly, but in its more specific meaning it refers to this seizure of what is considered a man's right. Used in connexion with cattle the word implies that the culprit, however mistaken he may be, believes that through kinship ties or in settlement of a debt he has a legal claim to the cattle. Again, a man may seize for himself cattle which he regards as his just due in compensation for some injury done to him by their owner. Thus, for example, a man may seize six head of cattle

8:Howell E. G-5 (1942-1944)1954
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685 important items in the subsistence economy of the people. Their illicit removal by a stranger would again be unan—'theft'.

In analysing some of the customary scales of compensation for misappropriation, it is apparent that in many cases the damages were out of all proportion to the wrong. As in the case of hurt, the compensation was directly proportionate to the suffering of the persons concerned. As has been explained in the introduction, the likelihood of such compensation being paid depended largely on the relationship of the persons involved and the social cohesion of the community in which they dwelt. It is also probable that all these scales of customary compensation date right back to a period of Nuer history when the people lived in more closely-knit groups and before the major processes of expansion began; that is, before they occupied huge tracts of country and absorbed large numbers of Dinka in doing so.

Those material possessions for which compensation (*rut*) was demanded included fish-spears, hoes, and axes—all articles made of iron. The scales of compensation differed considerably from tribe to tribe. The Gaawar, for instance, say that six head of cattle would be demanded for the theft of a fish-spear. Lak Nuer say that one cow was sufficient. The probable reason for this disparity was that compensation was conditioned locally by the relative difficulty of obtaining those articles, and also by the number of cattle paid for them in the first instance. The Gaawar, remotely situated from the trade channels through which iron wares came, could only obtain them from the Anuak to the east or through the Atuot Dinka to the west. In Lak country a cow would purchase a bundle of these things but in Gaawar the cost was much higher.

Again, we find that not only were these articles initially purchased with cattle but all had very considerable value in the subsistence economy of the Nuer. The loss of a fish-spear might cause great hardship because Nuer are often compelled to rely on fish as a major item in their diet, especially when grain is short. Hoes were essential [501] for agricultural processes. Canoes, for which a high rate of compensation was also demanded, were of considerable economic importance not only for fishing, but for swimming cattle across rivers in the course of seasonal migrations. Canoes, however, may have had a trade value nearly equal to the compensation, for suitable timber is rare in Nuerland even today.[1]

It is therefore possible that in these traditional scales of compensation for the loss of certain possessions, there are the germs of deterrent and punitive concepts, but it is more likely that they still fall within the category of private law. There was certainly no organised political

[1] Canoes have a high value. Those imported from Anuak, Shilluk or the south and west are worth several head of cattle. Canoes made of dalelb palm trunks which are available locally are comparatively cheap and are usually sold for cash.

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461 LABOR AND LEISURE--ideas of the value and dignity of labor; notions of pleasant and unpleasant tasks; distribution of labor and leisure time; incentives to labor (e.g., pride in craftsmanship, prestige, material rewards, compulsion); time and motion studies; intensity of effort; palliation of labor (e.g., with drugs, rhythm, music); work tempo (e.g., steady, intermittent); standards of productivity and production norms; laziness and malingering; rest periods; loafing and loitering; etc. See also:

Annual cycle of economic activities . . . . . 910 Holidays 697
Unemployment . . . . . 484 Slavery 847
Leisure-time activities . . . . . 917 Social classes 450

9:Evans-Pritchard E-5 (1931, 1936)1936 FJ22 Nuer FJ22

858 561 mode of life changes when he becomes a man, that is to say when he is made a man by social machinery, for he does not become a man in virtue of biological condition alone. An initiated boy ceases also to assist women and girls in the more menial tasks of cattle culture. It is no longer his duty to clear dung from the byres nor to smear it on the floor of the kraals[1] and dry it for fuel. Neither taboo nor shame attaches to these tasks, it is true, and if there are no women or boys to perform them a man will do them himself, but it is considered to be work for boys and girls. No more will an initiated boy have to milk the goats and sheep and take them out to pasture with the calves. Instead he will sometimes guard the main herd of cattle in their dry season pastures or more generally sit and gossip around the embers of a smouldering dung fire and wait for the womenfolk to bring him the morning meal.

A boy is everybody's servant. Not only must he milk the cattle and sheep and goats and keep clean byre and kraal but he is frequently ordered about by initiated men, sent to draw water, fetch fuel, light pipes, made to go messages, to lead the bullocks round the camp when his elders wish to leap (*ruw*) behind them, and to perform any other task which they require. Certainly boyhood is the period in a man's life when he is most occupied, does most work, than at any other period of his life. One gets the impression when living in a Nuer cattle camp that among the males all the routine work of the camp is done by the boys. After initiation 884 561 a boy may look forward to a long life of ease. His are now the delights 461 of sitting round a smouldering dung fire with his beloved cattle tethered in front of him. Here he can smoke, sleep, drink milk, gossip, and watch others do the daily monotonous routine work of homestead, dairy, and kraal. There is no one now to disturb his peace by ordering him about. At last he is completely his own master and may work or not as he thinks fit. Every initiated Nuer is his own lord, paying respect to age and the obligations of kinship, but free and independent, owing no man service. A newly initiated boy may now order his juniors about, see that they do their work thoroughly, and admonish and beat them if they are remiss in any task. Even though he is quite small, and perhaps no older than many who are uninitiated, he is a *wut*, a man, while they are *dhiel*, boys.

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[1] "Byre" refers to the larger huts in which cattle are housed in the wet season and which is used also as a man's shelf. "Kraal" is used to denote the space in front of the byre, sometimes enclosed, where the cattle are tethered and also for the space where they are tethered, surrounded by a wind-screen, in dry-season camps.